

AMENDED

Nº 40367

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JAN 23 1980  
 Returned to applicant for correction MAY 27 1980  
 Corrected application filed JUL 16 1980  
 Map filed JUL 16 1980

The applicant Melvin H. Kingsbury  
35 Hillside Avenue, of Salt Lake City,  
Street and No. or P.O. Box No. City or Town  
Utah 84103, hereby make application for permission to appropriate the public  
State and Zip Code No.  
 waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) N/A

1. The source of the proposed appropriation is underground - well  
Name of stream, lake or other source.

2. The amount of water applied for is 7.4 second-feet  
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet N/A acre-feet

3. The water to be used for irrigation  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated) 320

(b) Stockwater (state number and kinds of animals to be watered) N/A

(c) Other use (describe fully under "No. 12. Remarks")

(d) Power:

(1) Horsepower developed N/A

(2) Point of return of water to stream N/A

5. The water is to be diverted from its source at the following point: SW $\frac{1}{4}$  of NW $\frac{1}{4}$  Section 2, Township 32 North, Range 69 East, Mount Diablo Base Meridian Point of diversion lies N 27° 09' 35" E, 2951.59 feet from the North quarter corner of said Section 2  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. Place of use W $\frac{1}{2}$  Section 2, Township 32 North, Range 69 East, Mount Diablo Base Meridian, Elko County, Nevada  
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year.  
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) deep well turbine pressure pump mainlines and sprinklers

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

- 9. Estimated cost of works.....\$90,000.00
- 10. Estimated time required to construct works.....3 years
- 11. Estimated time required to complete the application to beneficial use.....5 years
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Will be used for irrigation

Applicant.....

By...s/Charles D. Howard  
1139 Falls Ave E.  
Twin Falls, Idaho 83301

Compared...bc/aa

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby <sup>deny</sup>~~grant~~ the same, subject to the following limitations and conditions:

This application is herewith denied on the grounds that to grant the application for irrigation purposes on lands that the applicant does not own or control and cannot demonstrate the ability to place the water to beneficial use, would not be in the public interest and welfare.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.

Actual construction work shall begin on or before.....

Proof of commencement of work shall be filed before.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....


Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

- Commencement of work filed.....
- Completion of work filed.....
- Proof of beneficial use filed.....
- Cultural map filed.....
- Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I PETER G. MORRIS  
State Engineer of Nevada, have hereunto set my hand and the seal of  
my office, this 4th day of January

A.D. 19 89  
  
State Engineer